

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6467

BILL NUMBER: SB 134

NOTE PREPARED: Mar 13, 2008

BILL AMENDED:

SUBJECT: Consolidation of Certain Environmental and Natural Resources Proceedings.

FIRST AUTHOR: Sen. Meeks

BILL STATUS: Enrolled

FIRST SPONSOR: Rep. L. Lawson

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill allows a party to seek to consolidate multiple proceedings that are subject to the jurisdiction of both the Office of Environmental Adjudication (OEA) and the Natural Resources Commission (NRC) Division of Hearings. The bill requires a panel that includes an environmental law judge and an administrative law judge to hear consolidated proceedings.

Effective Date: July 1, 2008.

Explanation of State Expenditures: The bill authorizes the consolidation of a hearing of a proceeding that is subject to the jurisdiction of both the OEA and the NRC's Division of Hearings under certain conditions. One condition is if the consolidation may support administrative efficiency.

The proposal will likely result in a minimal reduction in state expenses. If two hearings could be consolidated into one, the state would only have to pay for one court reporter and one transcript.

The OEA and NRC Division of Hearings are currently located next to one another. They share the same conference room. Although circumstances that could be consolidated are not expected to arise frequently, if and when a consolidation occurs, administrative expenses could be reduced.

Rules. The OEA and the NRC Division of Hearings must adopt joint rules to implement the proposal. Both entities should be able to adopt rules given their existing level of resources.

Background. Typically, OEA hires a private reporter. NRC has a court reporter in-house. The NRC

at times hires a private reporter for complex hearings. The NRC Division of Hearings considers about 250 cases on average each year; 150 are adjudicatory. Approximately 30 cases go to a hearing. OEA has a similar workload with approximately 40 requiring a hearing.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: OEA and the NRC's Division of Hearings.

Local Agencies Affected:

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